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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/551,262

09/28/2005

Richard Markoll

26993U

3360

20529 7590 12/10/2008
THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER

CHEN, VICTORIA W

ART UNIT

PAPER NUMBER

3739

MAIL DATE

DELIVERY MODE

12/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|--------------------------|--------------------------------------|---|--|
| Interview Summary | Application No. 10/551,262 | Applicant(s) MARKOLL, RICHARD | |
| | Examiner VICTORIA W. CHEN | Art Unit 3739 | |

All participants (applicant, applicant's representative, PTO personnel):

(1) VICTORIA W. CHEN. (3) ____.

(2) Stanley Protigal. (4) ____.

Date of Interview: 04 December 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: ____.

Claim(s) discussed: 1 and 7.

Identification of prior art discussed: Ostrow, Becker, Aoki, Waltonen.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant and Examiner discussed possible proposed amendments regarding introduction of positive bone growth claim language, however no agreement was made, pending a discussion with a primary examiner and submission of formal amendments.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

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| /Victoria W Chen/ Examiner, Art Unit 3739 | /Linda C Dvorak/ Supervisory Patent Examiner, Art Unit 3739 |
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